

**DECLARATION FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled:

**SPA INSERT WITH FLAT UPPER FLANGE AND INTEGRAL SPILLWAY**

the specification of which (check one) X is attached hereto or \_\_\_ as filed on \_\_\_ as Application No. \_\_\_\_\_ and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, U.S.C. 119(a)-(d) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed  
Yes No

Number	Country	Day/Month/Year Filed
<p>.....</p>		

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States Provisional Application(s) listed below.

Prior Provisional Application(s)

Priority Claimed  
Yes No

Number	Country	Day/Month/Year Filed
<p>.....</p>		

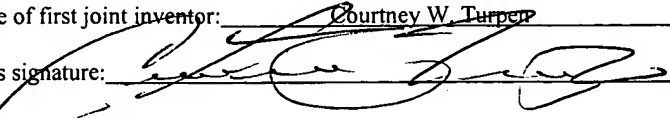
I hereby claim the benefit under Title 35, U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, C.F.R. 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Prior Application(s)

Priority Claimed  
Yes No

Number	Country	Day/Month/Year Filed
<p>.....</p>		

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor: Courtney W. Turpen  
Inventor's signature:  Date 3-11-04  
Residence: Clayton, CA  
Citizenship: \_\_\_\_\_  
Post Office Address: 1107 Whispering Pines, Road, Clayton, CA 94517

Full name of second joint inventor: \_\_\_\_\_  
Inventor's signature: \_\_\_\_\_ Date \_\_\_\_\_  
Residence: \_\_\_\_\_  
Citizenship: \_\_\_\_\_  
Post Office Address: \_\_\_\_\_

Full name of third joint inventor: \_\_\_\_\_  
Inventor's signature: \_\_\_\_\_ Date \_\_\_\_\_  
Residence: \_\_\_\_\_  
Citizenship: \_\_\_\_\_  
Post Office Address: \_\_\_\_\_

Full name of fourth joint inventor: \_\_\_\_\_  
Inventor's signature: \_\_\_\_\_ Date \_\_\_\_\_  
Residence: \_\_\_\_\_  
Citizenship: \_\_\_\_\_  
Post Office Address: \_\_\_\_\_

Full name of fifth joint inventor: \_\_\_\_\_  
Inventor's signature: \_\_\_\_\_ Date \_\_\_\_\_  
Residence: \_\_\_\_\_  
Citizenship: \_\_\_\_\_  
Post Office Address: \_\_\_\_\_

Applicant or Patentee: Courtney W. Turpen  
 Serial or Patent No.: Unassigned  
 Filed or Issued: HEREWITH  
 For: SPA INSERT WITH FLAT UPPER FLANGE AND INTEGRAL SPILLWAY

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
 STATUS (37 CFR 1.9(f) - INDEPENDENT INVENTOR .**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled described in

☒ the specification filed herewith.  
☐ application serial no \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_ issued \_\_\_\_\_

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

☒ no such person, concern, or organization  
☐ persons, concerns or organizations listed below\*

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

FULL NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
☐ Individual ☐ Small Business Concern ☐ Nonprofit  
 Organization

FULL NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
☐ Individual ☐ Small Business Concern ☐ Nonprofit  
 Organization

FULL NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

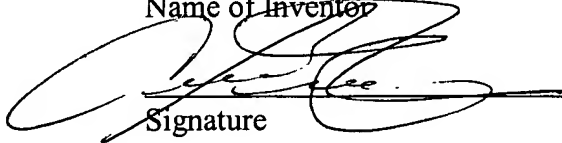
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time or paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

3-16-04  
Date

Courtney W. Turpen

Name of Inventor

  
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Courtney W. Turpen

Serial No.: Not Yet Assigned

Filed: HEREWITH

For SPA AND SPILLWAY ASSEMBLY AND  
METHOD

Group Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

**POWER OF ATTORNEY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Courtney Turpen, owner/inventor of the above-identified application, hereby appoint the members of the firm of DERGOSITS & NOAH LLP, a firm composed of Michael E. Dergosits (Reg. No. 31,243), Todd A. Noah (Reg. No. 35,626), Richard A. Nebb (Reg. No. 33,540), Geoffrey T. Staniford (Reg. No. 43,151), Paul K. Tomita (Reg. No. 43,196), Samuel S. Lee (Reg. No. 41,938), and Philip M. Shaw (Reg. No. 25,376), Four Embarcadero Center, Suite 1450, San Francisco, California 94111, (415) 705-6377, (415) 705-6383 (fax), as its attorneys with full power of substitution to prosecute this application and to transmit all business in the Patent and Trademark Office in connection therewith.

Please direct all correspondence regarding this application to the following:

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Four Embarcadero Center, Suite 1450  
San Francisco, California 94111  
(415) 705-6377

Dated: 3-11-04

By: 

Courtney W. Turpen  
Owner/Inventor